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State of Ohio Environmental Protection Agency

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Bob Taft, Governor
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February 21, 2003

Mr. Johnny Reising
U.S. Department of Energy, Fernald Area Office
P.O. Box 538705
Cincinnati, OH 45253-8705

Re: DISAPPROVAL - CERTIFICATION DESIGN LETTER FOR AREA 9, PHASE II

Dear Mr. Reising:

Ohio EPA has reviewed DOE's January 13, 2003 submittal of the "Certification Design Letter for Area 9, Phase II, 21130-RP-0001 Rev A DRAFT." Based upon our review and phone conversations, Ohio EPA disapproves this document. The following items outline the issues discussed during Ohio EPA's and Fluor Fernald's phone conversations on February 11th and 18th, 2003.

1. Reclassification of Certification Units to all Group 1's and resize boundaries. DOE will revise Group 2 CU's to Group 1's and resize boundaries according to Section 3.3.3.2 in the SEP. DOE's proposed CU change was submitted to Ohio EPA on February 18th, 2003 via Figure 4-2 to be incorporated into the revised CDL.
2. The incomplete precertification real-time scan in the NE corner of A9P2. DOE proposed to complete the real-time scanning in the NE area and collect additional physical samples, which is documented by way of Variance 21130-PSP-0001-1. The data will be incorporated into the revised CDL.
3. The incomplete baseline evaluation on cultivated subsurface soils. DOE proposed to collect subsurface samples from the cultivated soil and evaluate via Variance 21130-PSP-0001-1. The data will be incorporated into the revised CDL.
4. Include dioxins into the COC list. DOE proposed to include dioxins into the sampling analyte list.
5. Revise to discuss what, if any backfill occurred in the excavation areas.

Sincerely,



Thomas A. Schneider
Fernald Project Manager
Office of Federal Facilities Oversight

cc: Jim Saric, U.S. EPA
Terry Hagen, FDF
Mark Shupe, HSI GeoTrans
Mary Cullerton, Tetra Tech Inc.
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